

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FILED

DEC 12 2019

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES OF AMERICA

v.

DUSTIN BOONE,  
CHRISTOPHER MYERS, and  
STEVEN KORTE,

Defendants.

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No: S1-4:18-cr-00975-CDP (JMB)

Title 18 United States Code Sections:  
242, 1519, 1001 and 2

**SUPERSEDING INDICTMENT**

THE GRAND JURY CHARGES THAT:

**INTRODUCTION**

At times relevant to this indictment:

(1) The St. Louis Metropolitan Police Department (“SLMPD”) was a law enforcement agency located in St. Louis, Missouri. SLMPD officers were sworn to uphold the United States Constitution as well as the laws of the State of Missouri.

(2) On September 15, 2017, SLMPD Officer Jason Stockley was acquitted of a first-degree murder charge brought by the State of Missouri relating to the shooting death of a black, male civilian while Stockley was on duty.

(3) In the days and weeks that followed the Stockley verdict, there were protests (“Stockley protests”) throughout the City of St. Louis.

(4) In anticipation of protests, SLMPD activated its protest-response unit, the Civil Disobedience Team (“CDT”), detailing more than 200 SLMPD officers to CDT.

(5) SLMPD officers assigned to CDT were designated to work as either part of “the line” or part of an arrest team. Officers’ assignments changed, however, on an as-needed basis. The purpose of “the line” was to create formations to control the crowd when necessary, with the

assigned officers alternatively carrying shields and riot batons, known as “sticks.” The responsibility of the arrest teams was to arrest individuals identified by SLMPD supervisors for whom there was probable cause to believe that they had committed crimes.

(6) Defendants **Dustin Boone, Christopher Myers** and **Steven Korte**, as well as Randy Hays and Bailey Colletta were SLMPD officers who were assigned to CDT during the Stockley protests.

(7) L.H. had been an SLMPD officer for 22 years and was a detective at the time of the Stockley protests.

(8) L.H. was assigned to work in an undercover capacity during the Stockley protests to record and document criminal activity so that other SLMPD officers could lawfully arrest individuals who were committing crimes.

(9) As the Stockley acquittal was announced and in the days thereafter, defendants **Dustin Boone and Christopher Myers**, expressed disdain for the Stockley protestors and excitement about using unjustified force against them and going undetected while doing so, *e.g.*:

From	To	Date	Body
**/ Christopher Myers	Christopher Myers/ **	9/15/17	<p>** : Hey we are both on the same arrest team. Are we meeting at 20th and Olive?</p> <p><b>Myers:</b> I know right. Yes I guess so, let's whoop some ass</p>
Dustin Boone	**	9/15/17	The more the merrier!!! It's gonna get IGNORANT tonight!! But it's gonna be a lot of fun beating the hell out of these shitheads once the sun goes down and nobody can tell us apart!!!!

Dustin Boone	**	9/15/17	I'm on [Sgt **'s] arrest team! me and a BIG OL black dude r the guys that are hands on! No stick or shield..... just fuck people up when they don't act right! ...
Dustin Boone	**	9/15/17	That's my dude today! Haha he's basically a thug that's on our side!!! It's he and I that just grab fuckers and toss em around
Dustin Boone	**	9/15/17	We really need these fuckers to start acting up so we can have some fun
Dustin Boone	**	9/16/17	This shit is crazy..... but it's fucking AWESOME too! Except for cops getting hurt. People on the streets got FUCKED UP! Lol ...
Dustin Boone	**	9/16/17	R u guys in [South Patrol Division] prepping anything for the war tonight? Any mistake strikes that [Sgt. **] is gonna order?
Dustin Boone	**	9/16/17	Just deployed to U city..... u will see the REAL POLICE come in and clear these fuckers REAL QUICK. We ain't fuckin w them tonight.
**/ Dustin Boone	Dustin Boone/ **	9/17/17	<b>**:</b> You doing ok down there with the idiots?  <b>Boone:</b> Yeah. A lot of cops gettin hurt, but it's still a blast beating people that deserve it. And I'm not one of the people hurt, so I'm still enjoying each night....
Dustin Boone	**	9/18/17	We reloading these fools up on prisoner busses. As they got on we all said in unison "OUR STREETS" haha

**/ Dustin Boone	Dustin Boone/ **	9/19/17	<p><b>**:</b> Did Myers dumb ass even reach out to LH and apologize?</p> <p><b>Boone:</b> Nope, he is being typical Myers. I'll tell u his whole attitude, but basically he told me if he was running around down there w the protestors and his own personal camera and didnt tell us he was a cop, then he gets what happens to a protestor. kinda said it's on him or the department but OF COURSE nothing wrong w what he did or we did.</p>
Dustin Boone	**	9/20/17	<p>... The problem is when they start acting like fools, we start beating the shit out of everyone on the street after we give two warnings ...</p>
Dustin Boone	**	9/22/17	<p>They pulled that Myers kid aside and told him he can't b on the line tonight. Put him in a Tahoe driving someone around. From what I've heard people are NOT happy w him because he has basically said there is nothing to apologize for and made some racially charged comment about how LH got around his people and acted a fool or something then accused him of possibly being drunk? Fuckin idiot. I have told u about him.</p>
Dustin Boone	**	9/23/17	<p>Did everyone see the protestors getting FUCKED UP in the galleria???? That was awesome!</p>

Dustin Boone/ **	**/ Dustin Boone	9/24/17	<p><b>Boone:</b> Any reply from LH?</p> <p><b>**:</b> No. Didn't really expect one though. Did you check with [****] to make sure I had the right number</p> <p><b>Boone:</b> I have not, except people saying they r hearing Myers busted all of his shit and kicked him in the head. [Sgt. **] asked him what happened in front of [****] and myself and he changed his story about 5 times, denied everything, then said he smashed the phone, then says he threw the camera battery..... said he doesn't remember if he kicked him in the head or not! He's a joke.</p>
**/ Myers	Christopher Myers/ **	9/25/17	<p><b>**:</b> U all good. Im hearing some bad rumors</p> <p><b>Myers:</b> I hope so, I guess for now. Not sure</p> <p><b>**:</b> Is [****] caught up also.</p> <p><b>Myers:</b> No he wasn't with me</p> <p><b>**:</b> I know Lh do you want me to talk to him?</p> <p><b>Myers:</b> Yea if u can I have been wanting to apologize to him personally cuss I feel bad. We obviously didn't know he was a policeman. Can I call you?</p>
Dustin Boone	**	9/26/17	<p>Hays, a guy involved in the LH incident, got a call tonight from the association saying to call [****] tomorrow so they can get out in front of this..... why would they not call me and give me a heads up too??? My actions were not the same as Hays and Myers but still. Nobody knows if they called Myers cuz [****] told him to leave tonight, I'll tell u more about that later!</p>

(10) Defendants **Dustin Boone, Christopher Myers** and **Steven Korte** and other CDT officers, encountered L.H. amid the protests and believed L.H. to be a Stockley protestor.

(11) Paragraphs 1 through 10 are hereby incorporated by reference into each and every count set forth below.

**COUNT ONE**  
**[18 U.S.C. § 242]**

On or about September 17, 2017, within the Eastern District of Missouri, defendants,

**DUSTIN BOONE,  
CHRISTOPHER MYERS and  
STEVEN KORTE,**

while aiding and abetting each other, and others, while acting under color of law, willfully deprived L.H. of the right to be free from unreasonable seizure, a right secured and protected by the Constitution and laws of the United States, which includes the right to be free from unreasonable force. In so doing, the defendants threw L.H. to the ground and then kicked and struck L.H. while he was compliant and not posing a physical threat to anyone. This offense resulted in bodily injury to L.H. and included the use of a dangerous weapon, that is: shod feet and a riot baton.

In violation of Title 18, United States Code, Sections 242 and 2.

**COUNT TWO**  
**[18 U.S.C. § 1519]**

On or about September 17, 2017, within the Eastern District of Missouri, defendant,

**CHRISTOPHER MYERS,**

did knowingly alter, destroy and mutilate L.H.'s cellular phone and camera, each a tangible object used to record and preserve information, with the intent to impede, obstruct and influence the investigation into the arrest and assault of L.H., such investigation being a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States.

In violation of Title 18, United States Code, Section 1519.

**COUNT THREE**  
**[18 U.S.C. § 1001]**

Between July 25, 2018, and August 8, 2018, all dates being inclusive, within the Eastern District of Missouri, defendant,

**STEVEN KORTE,**

did willfully and knowingly make materially false, fictitious, and fraudulent statements to a Special Agent of the Federal Bureau of Investigation (FBI) concerning facts material to a matter being investigated by the FBI, an agency within the executive branch of the United States. Specifically, defendant **Steven Korte** falsely claimed (1) that he had not been involved in the arrest of L.H. on September 17, 2017, when he then and there knew that he had, in fact, participated in the arrest of L.H. on September 17, 2017, (2) that he had not yelled at L.H. "Hands out!," while participating in the arrest of L.H. on September 17, 2017, when he well knew that he did in fact give such orders to L.H., and (3) that his voice was not captured on a recording of L.H.'s arrest giving the aforementioned commands, even though he well knew his voice was on the recording, having listened to the recording, and denying the same, in the presence of an FBI agent.

In violation of Title 18, United States Code, Section 1001(a)(2).

A TRUE BILL

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FOREPERSON

JEFFREY B. JENSEN  
United States Attorney  
By:

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CARRIE COSTANTIN, #35925MO  
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